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Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 IO-13 AID-20 CEA-02 CIAE-00 COME-00

EB-11 FRB-02 INR-10 NSAE-00 RSC-01 CIEP-02 STR-08

TRSE-00 LAB-06 SIL-01 OMB-01 AGR-20 L-03 TAR-02 SS-15

NSC-10 RSR-01 /154 W
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R 101800Z JUL 73
FM USMISSION EC BRUSSELS
TO SECSTATE WASHDC 5501
INFO AMEMBASSY BONN BY POUCH
AMEMBASSY BRUSSELS BY POUCH
AMEMBASSY COPENHAGEN BY POUCH
AMEMBASSY DUBLIN BY POUCH
AMEMBASSY THE HAGUE BY POUCH
AMEMBASSY LONDON BY POUCH
AMEMBASSY LUXEMBOURG BY POUCH
AMEMBASSY PARIS BY POUCH
AMEMBASSY ROME BY POUCH
USMISSION OECD PARIS BY POUCH

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PASS AGRICULTURE

E.O. 11652: N/A
TAGS: EAGR ETRD EEC US
SUBJECT: EC WINE IMPORT CERTIFICATION: VISIT OF BATF OFFICIALS
FOR DISCUSSIONS WITH EC COMMISSION

REF: (A) STATE 127341: (B) EC BRUSSELS 3343

1 SUMMARY. ON JULY 5, OFFICIALS FROM THE BUREAU OF ALCOHOL,
TOBACCO AND FIREARMS (BATF), ACCOMPANIED BY MISSION OFFICERS,
MET WITH OFFICIALS FROM THE EC COMMISSION'S WINE DIVISION
TO DISCUSS TECHNICAL PROBLEMS RELATED TO THE EC REQUIREMENT FOR
A CERTIFICATE FOR THE IMPORT OF WINES FROM THE U.S. THE PRINCIPAL
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TOPICS DISCUSSED WERE: CERTIFICATION, COMPARABLE GROWING ZONES,

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BLENDING, DEFINITION OF WINE, HYBRID WINES, CORRECTION OF ACIDITY, AMELIORATION, OVERPRESSING, AND CHEMICAL ANALYSIS. EC OFFICIALS WERE ABLE TO CLARIFY SOME OF THE TERMINOLOGICAL PROBLEMS RAISED IN OUR PREVIOUS NOTE (SEE REFTEL ?). HOWEVER, OROVISIONS STILL REMAIN WHICH COULD CAUSE THE EXCLUSION OF SOME U.S. WINES. AMONG THE MOST SERIOUS OF THESE ARE THE TIGHT EC CONTROLS ON THE ADDITION OF SUGARWATER, ON WHICH COMMISSION OFFICIALS HELD OUT LITTLE HOPE FOR CHANGE. OTHER PROBLEMS CONCERN LEVEL OF CITRIC ACID, MIXTURE OF TABLE AND DESSERT WINES AND THE QUESTION OF WHICH EC GEOGRAPHIC ZONES WOULD BE MOST COMPARABLE TO DIFFERENT U.S. WINE PRODUCING AREAS. EC OFFICIALS AGREED TO ATTEMPT TO REPLY IN WRITING TO PRECISE FURTHER WRITTEN U.S. QUESTIONS ON INTERPRETATIONS OF EC REGULATIONS THAT MIGHT AFFECT BATF FILLING OUT OF EC CERTIFICATE. END SUMMARY.

2. ON JULY 5, BATF OFFICIALS CARLSON AND NEIS, IN THE COMPANY OF MISSION OFFICERS MET AT THE COMMISSION WITH JACQUES GOURDON, ACTING DIRECTOR OF THE WINE AND ALCOHOL DIVISION, DIRECTORATE GENERAL FOR AGRICULTURE, AND FOUR OF HIS STAFF MEMBERS TO DISCUSS TECHNICAL PROBLEMS RELATED TO THE CERTIFICATE FOR EC IMPORTS OF U.S WINE. FILLOWING IS A RESUME OF THIS MEETING PREPARED AFTER DEPARTURE OF THE WASHINGTON OFFICIALS.

3. INTRODUCTION. CARLSON SUMMARIZED BATF QUALITY CONTROLS ON U.S. WINE PRODUCTION AND STATED THE VIEW THAT IT SHOULD BE FEASIBLE FOR THE EC TO ACCEPT THIS AS ADEQUATE TO PERMIT THE IMPORTATION OF U.S. WINE. THE COMMISSION OFFICIALS DOUBTED THAT THE EC WOULD BE WILLING TO PERMIT IMPORTED WINE TO ENTER WHICH DID NOT MEET THE OENOLOGICAL CRITERIA REQUIRED. THEY CONFIRMED THAT IMPLEMENTATION OF THE REGULATION REQUIRING THE CERTIFICATE FOR IMPORTED WINE HAD BEEN DELAYED UNTIL OCTOBER 1.

4. CERTIFICATION PROCEDURES. THE COMMISSION OFFICIALS FELT THAT A CERTIFICATE BEARING THE SIGNATURE AND THE OFFICIAL DESIGNATION OF A BONA FIDE OFFICER OF BATF IN THE FORM OF A RUBBER-STAMPED MARK SHOULD BE FULLY SATISFACTORY,. GOURDON EXPRESSED THE PERSONAL OPINION THAT THERE SHOULD BE NO NEED FOR THE COMMUNITY TO MAINTAIN A FILE OF APPROVED SIGNATURES. SINCE THE U.S. WILL PROBABLY HAVE A LARGE NUMBER OF AUTHORIZED OFFICIALS, AND A CERTAIN AMOUNT OF TURNOVER EACH YEAR, SUCH UNCLASSIFIED

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A FILE WOULD BE TOO BURDENSOME TO MAINTAIN. IT WAS AGREED THAT BATF WOULD PROVIDE THE COMMISSION WITH A FACSIMILE OF THE STAMP TO BE USED ONCE IT HAS BEEN DESIGNED IN WASHINGTON. THE EC OFFICIALS FELT IT WOULD BE POSSIBLE FOR BATF TO DESIGNATE EITHER PUBLIC OR PRIVATE LABORATORIES TO CONDUCT THE ANALYSES AND TO SIGN THE ANALYSIS SECTION OF THE CERTIFICATES.

5. ZONES. THE EC HAS DESIGNATED A NUMBER OF WINE GROWING

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ZONES IN THE COMMUNITY. EC OFFICIALS RECOGNIZED ALSO THAT THE U.S. HAS A NUMBER OF SUCH ZONES. THE EC OFFICIALS SAW NO REASON NOT TO EQUATE SOME OF THE U.S.ZONES WITH EC ZONES OTHER THAN C III. THEY AGREED THAT BARF, IN COOPERATION WITH THE WINE INDUSTRY, COULD TAKE THE INITIATIVE IN RECOMMENDING AN EQUIVALENCE OF SPECIFIC U.S. AREAS TO EC ZONES OTHER THAN C III. BATF OFFICIALS STATED THAT THIS WOULD BE HELPFUL BUT WOULD NOT SOLVE ALL THE SPECIFIC PROBLEMS; E.G. EVEN IF NAPA VALLEY WERE ACCORDED THE MOST FAVORABLE POSSIBLE ZONING EQUI-VALENCE, THE ADDITION OF ALCOHOL TO NAPA TABLE WINES WOULD RENDER THESE WINES INELIGIBLE FOR ENTRY INTO THE EC.

6. BLENDING. COMMISSION OFFICIALS STATES THAT THE EC REGULATIONS WILL NOT REPEAT NOT ALLOW BLENDING OF TABLE WINES WITH ALCOHOL IN ANY FORM, EITHER BY ADDING PURE ALCOHOL OR BY ADDING A SWEET WINE TO A TABLE WINE. TABLZ WINES BLENDED FROM DIFFERENT VARIETIES OF GRAPES WOULD BE ADMITTED.

7. DEFINITION OF WINE. EC OFFICIALS STATED THAT IN THE EC WINE IS DEFINED AS A DERIVATIVE UNIQUELY OF THE GRAPE (WHICH IS NOT DEFINED) EXCEPT THAT FIVE SPECIFIC V. LABRUSCA VARIETIES ARE EXLUDED AS SOURCES OF WINE. COMMISSION OFFICIALS WERE UNABLE TO GIVE AN IMMEDIATE, CLEAR ANSWER TO THE QUESTION OF WHETHER WINE FROM OTHER THAN THESE FIVE LABRUSCA VARIETIES WOULD BE ADMITTED. THEY SAID THAT THE U.K. AND IRELAND MAY, DURING A THREE-YEAR TRANSITION PERIOD, DESIGNATE THE PRODUCT OF ANY AGRICULTURAL COMMODITY AS "WINE". APART FROM THE U.K. IRISH EXCEPTION, "WINE" FROM ANY FRUIT OTHER THAN GRAPE, OR WITH ADDED ESSENCES, SUCH AS OF LOGANBERRY OR APPLE, MAY NOT BE EN-TERED INTO THE EC AS WINE. (THESE BEVERAGES MAY ENTER THE EC UNDER DESIGNATIONS OTHER THAN "WINE".)

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ACTION EUR-25

INFO OCT-01 IO-13 ADP-00 AID-20 CEA-02 CIAE-00 COME-00

EB-11 FRB-02 INR-10 NSAE-00 RSC-01 CIEP-02 STR-08

TRSE-00 LAB-06 SIL-01 OMB-01 AGR-20 L-03 TAR-02 SS-15

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R 101800Z JUL 73
FM USMISSION EC BRUSSELS
TO SECSTATE WASHDC 5502
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION GENEVA
USMISSION OECD PARIS

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8. HYBRIDS. EC OFFICIALS STATED THAT WINES FROM BYBRID GRAPES (A TERM WHICH SEEMS TO NEED DEFINING) MAY BE IMPORTED INTO THE EC; HOWEVER, SUCH WINES ARE NOT VALUED IN EUROPE AND MAY NOT BE SALEABLE. EVEN IF ONLY A SMALL PERCENTAGE OF WINE FROM HYBRIDS WERE TO BE BLENDED WITH WINE FROM A PURE "INIGERA" GRAPE, THIS FACT MUST BE DISCLOSED ON THE CERTIFICATE.

9. CORRECTION OF ACIDITY. EC OFFICIALS POINTED OUT THAT LIMITS ON ACIDIFICATION AND DEACIDIFICATION VARIED ACCORDING TO ZONES. THE U.S. EXPERTS STATED THAT, ACCORDING TO PRESENT PRACTICES, U.S. CITRIC ACID LEVELS WOULD EXCEED THE PRESENT EC TOLERANCE OF 0.1 PERCENT. EC OFFICIALS REQUESTED ESTIMATES ON WHAT THE U.S. WOULD CONSIDER A REASONABLE TOLERANCE. U.S. OFFICIALS
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SAID THEY WOULD TRY TO FURNISH FURTHER INFORMATION ON NORMAL U.S. CITRIC ACID CONTENT AND ON THE CORRESPONDENCE BETWEEN U.S. AND EC MAXIMA. THE EC DELEGATES POINTED OUT THAT , SHOULD THE U.S. DESIGNATE SOME U.S. AREAS AS THE EQUIVALENT OF EC ZONE C II, EITHER ACIDIFICATION OR DEACIDIFICATION WOULD BE PERMITTED, THOUGH BOTH OPERATIONS COULD NOT BE PERFORMED ON THE SAME WINE. U.S. OFFICIALS STATED THAT THE USE OF ION-EXCHANGE RESINS IN DEACIDIFICATION, THOUGH NOT PERMITTED IN THE EC, IS WIDELY USED IN THE U.S. EC OFFICIALS STATES THAT AT THE PRESENT TIME THE LIST OF EC METHODS FOR DEACIDIFICATION IS NOT COMPLETE. TI WAS AGREED THEREFOR ETHAT BATF SHOULD SUPPLY TO THE COMMISSION A RESUME OF THE U.S. ION-EXCHANGE METHOD USING RESIONS, ACCOMPANIED BY AN OUTLINE OF PRECAUTIONARY PRACTICES TAKEN AT THE PLANT AND BY PUBLIC HEALTH DATE CONCERNING WINE TREATED IN THIS MANNER.

10 AMELIORATION. (ADDING LIQUID SUGAR.) EC OFFICIALS SAID THAT THE MAIN REASON THE EC DOES NOT PERMIT THE ADDITION OF

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LIQUID SUGAR IS TO AVOID THE DILUTION OF WINE BY WATER.
THEY SAID, HOWEVER, THAT AS A TEMPORARY EXCEPTION UNTIL 1979
GERMAN WINE COULD INCLUDE LIQUID SUGAR PROVIDED THAT IT DID NOT
INCREASE THE TOTAL VOLUME OF WINE BY MORE THAN 15 PERCENT.
BATF OFFICIALS POINTED OUT THAT U.S. LEGISLATION ALLOWS THE
ADDITION OF LIQUID SUGAR UP TO 35 PERCENT OF THE TOTAL VOLUME
OF THE WINE, EXCEPT IN THE STATE OF CALIFORNIA. CALIFORNIA
DOES NOT PERMIT THE ADDITION OF LIQUID SUGAR. THE EC
DELEGATES FELT THAT THE TEMPORARY FRG EXCEPTION COULD BE
EXTENDED TO THE U.S., BUT THAT THERE WOULD BE STRONG OPPOSITION
TO PERMITTING THE VOLUME OF WINE TO BE INCREASED BY MORE THAN
15 PERCENT THOUGH THIS PRACTICE. THIS WAS ESPECIALLY THE CASE
SINCE GERMANY HAD BEEN FORCED TO CUT BACK FROM 25 PERCENT.
AFTER THE DISCUSSION, ONE OF THE COMMISSION OFFICIALS STATED
PRIVATELY THAT HE THOUGHT THE ADDITION OF WATER WOULD BE THEN
MOST DIFFICULT ISSUE TO SETTLE.

11. " OVERPRESING". THE EC DELEGATES INTERPRET THIS EXPRESSION
TO MEAN WHAT THE U.S. MIGHT CONSIDER " SECOND PRESSING", THAT IS
RE-PRESSING OF THE RESIDUES LEFT AFTER FIRST PRESSING. THE
CONSENSUS WAS THAT SO LONG AS THE U.S. DOES NOT RE-PRESS THE
RESIDUES OF THE FIRST PRESSING, THE AMOUNT OF PRESSURE APPLIED
AT THE FIRST PRESSING IS IMMATERIAL.
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12. CHEMICAL ANALYSES. ACCORDING TO MR. GOURDON, THE STANDARDS
FOR PERFORMING CHEMICAL ANALYSES OF WINES IN THE EC WILL BE
BASED ON "INTERNATIONAL CODES". THE BATF OFFICIALS ADVISED
GOURDON THAT THE U.S. EMPLOYS THE METHODS DESCRIBED BY THE
AOAC. THE BATF OFFICIALS AGREED TO SUPPLY THE COMMISSION WITH
A COPY OF THE PERTINENT PAGES FROM THE AOAC HANDBOOK FOR
COMPARISON WITH WHATEVER INTERNATIONAL METHODS ARE BEING USED
WITHIN THE EC.

13. LABELING. EC OFFICIALS STATES THAT LABELING REQUIREMENTS
WERE STILL WITHIN THE PROVINCE OF THE NATIONAL GOVERMENTS.
THE EC COMMISSION HAD MADE A PROPOSAL TO THE COUNCIL ABOUT TWO
YEARS AGO, BUT THE COUNCIL HAD NOT ACTED. THEY WERE UNWILLING
TO PREDICT WHEN THE COUNCIL WOULD ACT.

14. TRADE DATA. EC OFFICIALS REQUESTED FURTHER DATA ON THE
VOLUME OF U.S. EXPORTS OF DIFFERENT TYPES OF WINE TO THE EC.
THEY IMPLIED THAT THEY BELIEVED THAT MANY OF THE DIFFICULTIES
MENTIONED DURING THE MEETING WOULD NOT AFFECT A SIGNIFICANT
VOLUME OF U.S. WINE TRADE.

15. CLARIFICATION OF EC REGULATIONS. BATF OFFICIALS
STATED THAT BEFORE FILLING OUT THE EC CERTIFICATION THEY WOULD
NEED FURTHER INTERPRETATIONS BY THE COMMISSION AND FURTHER

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INFORMATION ON WHAT WAS PERMITTED AND WHAT WOULD BE EXCLUDED.
EC OFFICIALS AGREED TO RESPOND IN WRITING TO ADDITIONAL QUESTIONS
WHICH THE U.S. WOULD SUBMIT TO THE COMMISSION.
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Decaption Note:
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